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09/845,785	04/30/2001	Karen P. Parnell	005306.P019	4346

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Lance A. Termes  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

EXAMINER

SPOONER, LAMONT M

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 05/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/845,785

Applicant(s)

PARNELL ET AL.

Examiner

Lamont M Spooner

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/30/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4/21/03, 10/20/04
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 5, 9, 10, 12-14, 16, 18, 19, 22, 26, 27, 29-31, 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al. (hereinafter referred to as Lee, US 6,442,516) in view of Rojas et al. (hereinafter referred to as Rojas, US 6,425,123).

Lee and Rojas are analogous art in that they both involve the development process of software.

As per **claims 1, 18 and 34**, Lee discloses a method of developing a computer-implemented application (Fig. 1, C.3.lines 27-44) to permit the polylingual simultaneous shipment of the application, the method comprising:

implementing a development process for a base version of the application in a base language, wherein the development process includes differentiating between language dependant code and language independent code in the base version of the application (C.4.lines 8-17-language dependent code tracked from language independent code not requiring translation in a base language);

concurrently (C.3.lines 59-61)implementing an internationalization (I18N) process for the base version of the application (C.3.lines 56-63, C.4.lines 58-64); and

concurrently (C.3.lines 59-61) implementing a L10N process for the base version of the application, wherein the L10N process includes translating the language dependent code into at least one language different from the base language (C.3.lines 56-57, C.10.lines 10-16),

but lacks disclosing the I18N implementing an internationalization (I18N) process for the base version of the application, wherein the I18N process includes pseudo localization (L10N) of the base version of the application;

However, Rojas teaches having an I18N process including a pseudo L10N of a base version of an application (C.2.line 48-C.3.line 5). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Lee with Rojas by implementing a mock L10N. The motivation for doing so would have been to test language translatability in computer software (C.2.lines 45-47).

As per **claims 2, and 19**, Lee in view of Rojas disclose all the limitations of claim 1, upon which claim 2 depends. Rojas further discloses differentiating between language dependant code and language independent code comprises:

identifying all language-dependent user interface code (C.4.lines 34-45); and  
creating a source code structure for the application wherein the language-dependent user interface code is maintained separately from non user interface code (C.4.lines 35-37-separate executable program).

As per **claims 5 and 22**, Lee in view of Rojas disclose all the limitations of claim 1, upon which claim 5 depends. Lee further discloses:

the base language is English (C.6.lines 30-34).

As per **claims 9 and 26**, Lee in view of Rojas disclose all of the limitations of claim 1, upon which claim 9 depends.

Rojas also teaches pseudo L10N includes adding a prefix to each translatable string in the application (C.4.lines 58-67).

As per **claim 10 and 27**, Lee in view of Rojas disclose all of the limitations of claim 1, upon which claim 10 depends. Lee further discloses:

the I18N process further includes an identification of defects in a previous version of the application (C.5.lines 45-55-mismatched old file to new file), a feature review process (C.6.lines 15-26), and a unit testing process (C.5.lines 5, 35-27).

As per **claims 12 and 29**, Lee in view of Rojas disclose all of the limitations of claim 1, upon which claim 12 depends. Lee further discloses translating the language dependent code comprises:

translation of a base glossary (C.3.line 67-C.4.line 1, 14-16, -translated files include a base glossary) and completion of at least one L10N kit (C.10.line 58-C.11.line 39-the localization kit is completed, and included in the process inherently for the release of a completed localized application).

As per **claims 13 and 30**, Lee in view of Rojas disclose all of the limitations of claim 12, upon which claim 13 depends. Lee further discloses

the L10N kit comprises an existing translated base glossary (C.6.lines 35-67) and a build of the application including all currently existing features (C.3.lines 1-7, C.6.line 35-C.9.line 26).

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As per **claims 14 and 31**, Lee in view of Rojas disclose all of the limitations of claim 1, upon which claim 14 depends. Lee further discloses

the L10N process (C.10.line 58-C.11.line 39) further includes generation of a base glossary (C.10.lines 58-60), local partner training (C.3.lines 61-63-included in the localization process), translation of the base glossary, (C.3.line 67-C.4.line 1, 14-16, C.11.lines 5-9-translated files include a base glossary) and completion of at least one L10N kit (C.10.line 58-C.11.line 39-the localization kit is completed, and included in the process inherently for the release of a completed localized application).

As per **claims 16 and 33**, Lee in view of Rojas disclose all of the limitations of claim 1, upon which claim 16 depends. Lee further discloses

the at least one language different from the base language is selected from the group consisting of: German, Spanish, French, Japanese, Danish, Dutch, Italian, Portuguese, Swedish, Chinese, Korean, Czech, Finnish, Greek, and Hebrew (C.10.lines 10-15-French, C.11.lines 45-47).

As per **claim 35**, Lee and Rojas disclose all of the limitations of claim 34, upon which claim 35 depends. Lee further discloses:

the microprocessor further implements a set of preprogrammed instructions to implement a release phase for the finalization of the development process, the I18N process, and the L10N process (C.1.line 35-37, C.2.lines 22-28, C.3.lines 59-61).

3. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rojas (US 6,425,123) in view of Lee (US 6,442,516).

Rojas and Lee are analogous art in that they both involve the development process of software.

As per **claim 17**, Rojas discloses a method of developing a computer-implemented application (Fig. 1, C.3.lines 27-44) to permit the polylingual simultaneous shipment of the application, the method comprising:

developing an application (C.2.lines 40-44) comprising a front end (C.4.lines 45, 46-irequired as a front end development), a middle (C.4.lines 33-45), and a data model (C.4.lines 46-52-data model), wherein the front end comprises user interface code developed in a base language (C.4.lines 34-45, 53, 54-base language interface code required to initiate the process), and the middle comprises non user interface code developed in a programming language (C.4.lines 35-37-separate executable program follows the initiated front end);

maintaining the user interface code separately from the non user interface code (C.4.lines 34-45, 53, 54-separated interface and executable code);

concurrently identifying any hard-coded strings existing in the application (C.2.lines 64-67);

translating the user interface code into at least one language different from the base language (C.1.lines 33-44);

but lacks concurrently translating.

However, Lee teaches concurrently translating code into at least one language different from the base language (C.3.lines 56, 57, C.11.lines 45-48). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to

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modify Rojas with Lee by concurrently translating developed code. The motivation for doing so would have been to identify and fix national language support problems concurrently in a development cycle (C.3.lines 58-61).

4. Claims 3, 4, 6-8, 11, 15, 20, 21, 23-25, 28, 32, 36, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Rojas and further in view of Cornelius et al. (hereinafter referred to as Cornelius, US 6,629,081).

Lee, Rojas and Cornelius are analogous art in that they both involve the development process of software.

As per **claims 3 and 20**, Lee and Rojas disclose all of the limitations of claim 1, upon which claim 3 depends. Lee further discloses:

the base version development process further includes a process of defining features of the application to be developed (C.2.line 47-C.3.line 3-multiple base version development process features defined).

Lee in view of Rojas does not disclose:

the process of defining features of the application to be developed comprising selection of development milestones and a determination of which features are to be implemented at each of the development milestones.

However, Cornelius teaches the process of defining features of an application to be developed comprises selection of development milestones and a determination of which features are to be implemented at each of the development milestones (C.55.lines 51-54, C.73.line 57). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Lee and Rojas, with Cornelius



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by structuring development stages/milestones. The motivation for doing so would have been to provide a smooth development environment, which is dependent upon a release management strategy (C.55.lines 31-33)

As per **claims 4 and 21**, Lee and Rojas disclose all of the limitations of claim 1, upon which claim 4 depends.

Lee in view of Rojas does not disclose:

the base version development process comprises a first base stage, a second base stage, and a third base stage, each base stage corresponding to development of a predetermined portion of the base version of the application.

However, Cornelius teaches base version development process comprises a first base stage, a second base stage, and a third base stage, each base stage corresponding to development of a predetermined portion of the base version of an application (C.55.line 66-C.56.line 2). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Lee and Rojas, with Cornelius by structuring development stages/milestones. The motivation for doing so would have been to provide a smooth development environment, which is dependent upon a release management strategy (C.55.lines 31-33)

As per **claims 6, 7, 8, 23, 24, and 25**, Lee and Rojas and Cornelius disclose all the limitations of claim 4, upon which claim 6, 7 and 8 depend.

Lee in view of Rojas and further in view of Cornelius do not explicitly disclose:

the first base stage corresponds to development of approximately sixty percent of the base version of the application.

the second base stage corresponds to development of approximately eighty percent of the base version of the application.

the third base stage corresponds to development of approximately one hundred percent of the base version of the application.

However, the Examiner takes official notice that the above method of having a stage of development corresponding to the development of a percentage of a base version of an application is well known to one of ordinary skill in the art. Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Lee, Rojas and Cornelius with the an approximate percentage point to each development stage. The motivation for doing so would have been to have an ending point, percentage biased, to a particular development stage.

As per **claims 11 and 28**, Lee and Rojas disclose all of the limitations of claim 1, upon which claim 11 depends.

Lee teaches an I18N process concurrent with baselevel development (C.3.lines 56-63, C.4.lines 58-64)

Lee does not explicitly disclose:

a first international stage, a second international stage, and a third international stage, each international stage corresponding to I18N of a predetermined portion of the base version of the application developed in the development process.

Cornelius teaches having a first second and third stage of development(C.55.line 66-C.56.line 2).

Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Lee's parallel and concurrent development of all builds during the development cycle with Cornelius by having the concurrent base version stages of the application parallel with the L18N stages, wherein each international stage inherently corresponds to the base version stages defined by concurrent development. The motivation for doing so would have been to provide a concurrent and smooth development environment, which is dependent upon a release management strategy (C.55.lines 31-33).

As per **claims 15 and 32**, Lee and Rojas disclose all of the limitations of claim 1, upon which claim 15 depends.

Lee teaches an L10N process concurrent with baselevel development (C.3.lines 56-57, C.10.lines 10-16),

Lee does not explicitly disclose:

a first local stage, a second local stage, and a third local stage, each local stage corresponding to L10N of a predetermined portion of the base version of the application developed in the development process.

Cornelius teaches having a first second and third stage of development (C.55.line 66-C.56.line 2). Therefore, at the time of the invention, it would have been obvious to one ordinarily skilled in the art to modify Lee's parallel and concurrent development of all builds during the development cycle with Cornelius by having the concurrent base version stages of the application parallel with the L10N stages, wherein each local stage inherently corresponds to the base version stages defined by the

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concurrent development process. The motivation for doing so would have been to provide a smooth development environment, which is dependent upon a release management strategy (C.55.lines 31-33).

As per **claim 36**, claim 36 sets forth limitations similar to claim 1, and additional limitations similar to those set forth in claims 3, 10, 12 and 14, and thus is rejected for the same reasons.

As per **claim 37**, claim 37 sets forth limitations similar to claim 35 and thus is rejected for the same reasons.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Templeman (US 5,845,303) teaches I18N of language dependent user interface code and non user interface code.
- Andrews et al. (US 5,251,130) teaches facilitating contextual language translation within an interactive software application.
- See et al. (5,572,668) teaches universal language support program testing.
- Meade et al. (US 6,507,812, 6,453,462) teaches pseudo localization.
- Lissauer et al. (US 6,466,900) teaches generating a base glossary, local partner training, translation of the base glossary, and the completion of a L10N kit.

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- Malcolm (US 5,416,903) teaches dynamic multilingual generation of language dependent user interface code.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamont M Spooner whose telephone number is 703/305-8661. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 703/305-9645. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lms  
3/21/05

Donald L. Storm  
PATENT EXAMINER  
AU 2654